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DEC 20 2004

MICHAEL R. MERZ
UNITED STATES MAGISTRATE JUDGE
FEDERAL COURTHOUSE RM# 2
DAYTON, OHIO 45402

MR. ELWOOD H. JONES, MICHAEL R. MERZ
#339-441 2HSE 2050 U.S. MAGISTRATE JUDGE
P.O. Box 788
MANSFIELD, OHIO 44901

12-15-2004

— CASE No. C-1-01-564

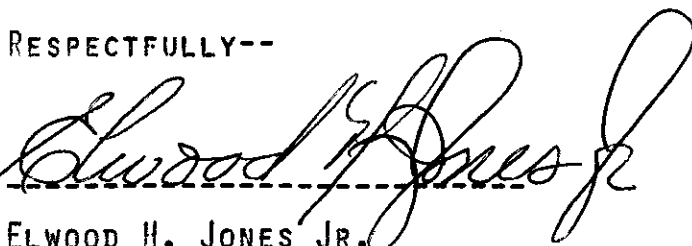
DEAR HONORABLE MAGISTRATE MERZ:

ON NOVEMBER 17, 2004, I SENT A BRIEF LETTER OFF TO THIS HONORABLE COURT, AND YOU. ASKING : HAS THIS COURT MADE ANY TYPE OF RULING IN MY CASE, WITH RESPECT TO THE NUMBER OF PRO-SE MOTIONS, AND PETITIONS I HAVE FILED, STARTING WITH JULY 8, 2004, JULY 22, 2004, AUGUST 26, 2004, OCTOBER 12, 2004, NOVEMBER 1, 2004.?

SINCE I HAVE NOT RECEIVED A RESPONSE BACK FROM THE COURT AS OF TODAY - I AM WRITING TO FIND OUT IF THIS HONORABLE COURT EVER RECEIVED MY LETTER.?

THANK YOU FOR YOUR TIME AND I HOPE TO HEAR FROM THIS HONORABLE COURT SOON.

RESPECTFULLY--


ELWOOD H. JONES JR.

MR. DAVID H. BODIKER
CHIEF COUNSEL OF OHIO
PUBLIC DEFENDER OFFICE'S
COLUMBUS, OHIO 43215

MR. E. H. JONES JR.
#339-441 #2-HSE 2050
P.O. Box 788
MANSFIELD, OHIO
44901
(12-15-2004)

DEAR MR. BODIKER:

ON JUNE 29, 2004, I SPOKE TO MR. MEYERS ON THE PHONE, AND I EXPLAINED TO HIM THAT I NEEDED A FULL COPY OF THE CASE FILES-- IN MY CASE-- OF ALL THE MATERIALS FILED AND COLLATED GOING INTO THE DISTRICT COURT. DUE TO A BACK-UP DRAIN PROBLEM AN OVERFLOW INTO MY CELL, WHICH CAUSED DAMAGE TO MY "LEGAL BOX".... SOME OF THE MATERIALS WERE HEAVILY WATER DAMAGED. NOW I EXPLAINED TO MR. MEYERS "WHY" IT IS IMPORTANT..... I NEEDED A COPY OF THAT FILE TO PUT TOGETHER A "PRO-SE PETITION" TO THE COURT. MR. MEYERS SAID HE WOULD HAVE A COPY SENT OUT TO ME IN THE NEXT FEW WEEKS.

ON JULY 19, 2004, I SPOKE TO BRENDA L. JONES, AND RENEWED THAT SAME REQUEST FOR A COPY OF MY CASE FILES.-- AFTER "NOT" RECEIVING A COPY, MS. BRENDA L. JONES TOLD ME SHE WOULD SPEAK TO MR. MEYERS CONCERNING MY REQUEST, AND WOULD LET ME KNOW WHAT HE HAD TO SAY. PLEASE SEE ATTACHED LETTER FROM MS. BRENDA L. JONES, DATED JULY 19, 2004

ON SEPTEMBER 13, 2004 MR. BODIKER, I SPOKE TO YOU BY PHONE AND EXPLAINED THE PROBLEM I WAS HAVING GETTING A COPY OF MY CASE FILES GOING TO THE DISTRICT COURT FROM MR. MEYERS. MR. BODIKER, YOU TOLD ME THAT YOU WERE "AWARE" OF THE MATTER AND BY THE END OF THE WEEK... I WOULD HAVE A COPY OF THE CASE FILE... THAT SIMPLY NEVER HAPPENED.

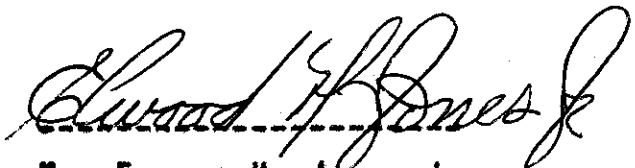
ON OCTOBER 5, 2004, I CALLED TO SPEAK WITH MR. MEYERS

ABOUT THAT FILE -- I "STILL" HAVEN'T RECEIVED. MR. MEYERS WAS NOT IN HIS OFFICE, SO HIS "ADMINISTRATIVE ASSISTANT" NAMED GLORIA GOVINE TOOK THE CALL. PLEASE SEE ATTACHED LETTER FROM GLORIA GOVINE, DATED OCTOBER 5, 2004 REGARDING MY REQUEST FOR THE FILES, AND MR. MEYERS ANSWER ONCE AGAIN.

MR. BODIKER, TODAY IS DECEMBER 15, 2004.... JUST ABOUT A FULL (6) SIX MONTHS LATER FROM THE FIRST REQUEST I MADE FOR A COPY OF THAT CASE FILE, AND I STILL HAVEN'T RECEIVED IT YET. SINCE MR. OWEN AND MR. MEYERS HAVE "REFUSED" TO RESPOND TO MY REQUEST AND NOW REFUSE TO ACCEPT MY CALLS.... MR. BODIKER, THE QUESTION TO YOU IS THIS.... "WHO" DO I HAVE TO SEE IN MAKING THAT REQUEST TO GET A COPY OF THE FILES I HAVE DILIGENTLY ASKED FOR IN MY CASE, SINCE JUNE 29, 2004, SO I CAN FINISH PREPARING A "PRO-SE" PETITION TO THE COURT.?

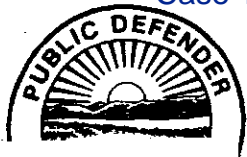
THANK YOU FOR YOUR TIME AND CONCERN.

SINCERELY

A handwritten signature in cursive script, reading "Elwood H. Jones Jr.", written over a horizontal dashed line.

MR. ELWOOD H. JONES JR.

CC/ MICHAEL R. MERZ
JAMES D. OWEN
GREGORY D. OWEN
JOE WILHELM



Office of the Ohio Public Defender

8 East Long Street
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(614) 466-5394
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DAVID H. BODIKER
State Public Defender

1(A)

July 19, 2004

Elwood H. Jones, Jr.
#339-441
Mansfield Correctional Institution
P.O. Box 788
Mansfield, Ohio 44901

Dear Mr. Jones:

Here are the envelopes you requested when we spoke this morning. Greg said it will take him a while to put a copy of your case file together due to pressing deadlines in other clients' cases.

Take care.

Sincerely,

Brenda

Brenda L. Jones
Administrative Assistant
Death Penalty Division

BJ
Enclosures

#122583



1(B)

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DAVID H. BODIKER
State Public Defender

October 5, 2004

Elwood Jones
#339-441
Mansfield Correctional Facility
P.O. Box 788
Mansfield, Ohio 44901

Dear Elwood:

I spoke with Mr. Meyers about your concerns regarding your request for files to be sent to you and whether he received the waiver for the Innocence Project.

He asked me to write and let you know he did receive and understands the waiver for the Innocence Project and has been in contact with some of the people there and has talked with Mr. Luken about your waiver.

He also asked me to let you know that since the time he received your request for the files, he has been so caught up in commitments in the Lott, Dennis, Cooley and Hill cases he just simply has not been able to tackle your request, but will get to it as soon as possible.

Hope all is going well with you and that this answers your questions.

Sincerely,

Gloria Govine
Administrative Assistant